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Dated: March 15, 2005

Signature: 

(Raymond Garguilo, Jr.)

Docket No.: SPINE 3.0-437 CPCPCPCPCPCPCP I CON IV  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Errico et al.

Application No.: 10/663,492

Group Art Unit: 3738

Filed: September 16, 2003

Examiner: Not Yet Assigned

For: INTERVERTEBRAL SPACER DEVICE  
HAVING ENGAGEMENT HOLE PAIRS FOR  
MANIPULATION USING A SURGICAL  
TOOL

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

It is respectfully requested that the references listed on the enclosed form be made of record and considered with respect to the above-referenced U.S. patent application. Submission of the present Information Disclosure Statement should not be taken as an admission that the cited references are legally available prior art or that the same are pertinent or material.

In the event that any fee is due in connection with the present Information Disclosure Statement, the Commissioner is hereby authorized to charge the same to our Deposit Account No. 12-1095.

Dated: March 15, 2005

Respectfully submitted

By 

Raymond Garguilo, Jr.

Registration No.: 50,930

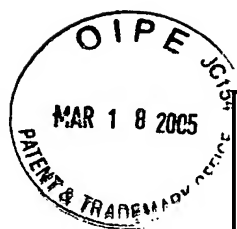
LERNER, DAVID, LITTENBERG,  
KRUMHOLZ & MENTLIK, LLP

600 South Avenue West

Westfield, New Jersey 07090

(908) 654-5000

Attorney for Applicant



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| Substitute for form 1449A/B/PTO<br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br><i>(Use as many sheets as necessary)</i> |   |    |   | <b>Complete if Known</b> |   |
|   |   |    |   | Application Number       | 10/663,492                              |
|   |   |    |   | Filing Date              | September 16, 2003                      |
|   |   |    |   | First Named Inventor     | Joseph P. Errico                        |
|   |   |    |   | Art Unit                 | 3738                                    |
|   |   |    |   | Examiner Name            | Not Yet Assigned                        |
| Sheet   | 1 | of | 2 | Attorney Docket Number   | SPINE 3.0-437<br>CPCPCPCPCPCPC I CON IV |

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|  |   |    |   | Art Unit                 | 3738                                    |
|  |   |    |   | Examiner Name            | Not Yet Assigned                        |
| Sheet  | 2 | of | 2 | Attorney Docket Number   | SPINE 3.0-437<br>CPCPCPCPCPCPC I CON IV |

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| Examiner<br>Initials*    | Cite<br>No. <sup>1</sup> | Foreign Patent Document   |  | Publication<br>Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>or Relevant Figures Appear | T <sup>6</sup> |
|                          |                          | Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known) |  |                                   |  |   |                |
|                          |                          |   |  |                                   |  |   |                |

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| NON PATENT LITERATURE DOCUMENTS |                          |   |  |                |
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| Examiner<br>Initials*           | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |  |                |
|                                 |                          |   |  |                |
|                                 |                          |   |  | T <sup>2</sup> |

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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|